

VILLAGE OF NORTH UTICA
248 W. Canal St.
North Utica, IL 61373
Special Meeting of the Board of Trustees
March 24, 2022
www.utica-il.gov

AGENDA

- I. **7:00 p.m.** - Call to Order Special Village Board Meeting
- II. Pledge of Allegiance
- III. Roll Call

- IV. Appearance Request: Mr. Cody Tucker; Plant Manager, LaFarge – General updates regarding recent blasting, and the frequency and schedule for continued blasting in the Quarry

- V. Village Attorney:
 - 1.) Summary of the Petition of Christy Donahue, and Willow Tree Lane, LLC, as Owner of property located at 229 S. Clark St., Utica, IL, 61373. The Petitioner is seeking a Special Use and requires a text amendment to the Village of North Utica Zoning Ordinance, to construct and operate an amusement operation, specifically a Sluice Box / Gem Cleaning Station, in connection with the Rock Shop located on the property. The property is located in the C-2 Zoning District.
 - a) Consideration and Possible Action on an Ordinance amending the Zoning Code of the Village of North Utica, Section 10-8B-3, to allow a Sluice Box / Gem Cleaning Station as a Special Use in the C-2 Zoning District.
 - b) Consideration and Possible Action on an Ordinance granting a Special Use under Section 10-8B-3 of the Village of North Utica Zoning Code to grant the operation of a Sluice Box / Gem Cleaning Station, in connection with the Rock Shop, on property located at 229 S. Clark St., Utica, IL, 61373; Property is zoned C-2.
 - c) Consideration and Possible Action on an Ordinance granting such other relief that is necessary to allow Petitioner's intended use of the property.

- VI. Village President:
 - 1.) General Discussion regarding the next Chapter(s) of the Village of North Utica Zoning Ordinance to be reviewed by the Zoning Review Committee along with the Planning Commission
 - 2.) Assignment of Committee(s)
 - 3.) Consideration and Possible Action on a Proclamation for April 7, 2022 as Junior Achievement Day in the Village of North Utica.

- VII. Village Clerk

- VIII. Director of Village Affairs:
 - 1.) Update on upcoming events in the Village
 - 2.) Consideration and Possible Action to approve a Contract between the Village of North Utica and ITRON for the purchase of new equipment and software for the reading of Village Water Meters, in an amount not to exceed \$30,000

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- IX. Village Treasurer
- X. Police Department – Chief Damron
- XI. Building / Zoning Enforcement Officer
- XII. Maintenance Department
- 1.) Update – Upcoming / Ongoing Projects in the Village
- XIII. Village Engineer:
- 1.) Update – Upcoming / Ongoing Projects in the Village
- 2.) Update – 2022 MFT Road Project
- 3.) Update – Village Administration Building Parking
- 4.) Update – Drainage Projects:
- a) Doehrr Property / Hitt St. Drainage Project
- a) Johnson St. Drainage Project
- b) Senica Manor Drainage Project
- XIV. Committee / Trustee Reports:
- 1.) Trustee Reports
- 2.) Updates from Committees:
- a) Village of North Utica Governmental Affairs Committee
- b) Village of North Utica Fire & School Liaison Committee
- c) Village of North Utica Zoning Ordinance Review Committee
- XV. Public Comment
- XVI. Executive Session
- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- 2.) Pending Litigation
- 3.) Purchase/Sale/Lease of Real Property
- XVII. Possible Action regarding Executive Session items
- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- a) Consideration and Possible Action to approve the 2022 Payroll Schedule as presented.
- 2.) Pending Litigation
- 3.) Purchase/Sale/Lease of Real Property
- XVIII. Adjournment

POSTED: 03-22-2022

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MINUTES

At 7:05 pm the Special Meeting of the Board of Trustees was called to Order by Village President David Stewart who then led the Pledge of Allegiance. Village Clerk Laurie Gbur recorded the meeting attendance. Present at the meeting were Trustees John Schweickert, Nate Holland, Mary Pawlak, Debbie Krizel. Kylie Mattioda and Jim Schrader. Also present were Village Attorney Herb Klein, Director of Village Affairs Jamie Turczyn, Village Treasurer Jill Margis and Village Engineer Kevin Heitz. Police Chief Rodney Damron and Public Works Director / Zoning Enforcement Officer Curt Spayer were absent from the meeting.

Appearance Request: Mr. Cody Tucker; Plant Manager, LaFarge – General updates regarding recent blasting, and the frequency and schedule for continued blasting in the Quarry.

Trustee Schweickert stated that he has received several calls from residents that are very concerned with the recent blasting. The effects of the blast seem more significant. Residents have noticed windows rattling, the house shaking and things falling from shelves. The concern is more than just the noise heard from the blast; it is the possible lasting effect that the blasting will have on people's homes.

Mr. Tucker stated that they are still blasting below the allowed regulated levels. There is also currently a seismograph located on the property near the Village Police Department and it also reads that the blasts are within current regulations.

Trustee Schweickert stated that while he appreciates that the blasting has been within the regulations allowed, the vibration and severity of the blast seems to have increased significantly.

Mr. Tucker explained that they are working in the quarry closer to the residential area and they are blasting deeper which could have an effect in the vibration felt.

Trustee Schrader stated that he could feel the vibration of the blast at his shop which is located on the west end of Grove St. He also stated that residents in the community are concerned that they will have damage to their foundations and homes as a result of the blasting; "Foundation repairs can be very costly and if the blasts are felt several blocks away, imagine the vibration being felt in the homes located near the blasting."

Mr. Tucker stated that LaFarge cares about the community and although they are within the regulations, they want to work with the Village to do what they can to try to reduce the issues and minimize the concerns of the community. He suggested having a seismograph placed on a couple of different properties so that the level of the blasts could be measured. He also stated that IDNR could be contacted to come to the Village with their own seismographs to record the level of the blasts. LaFarge will continue to contact the Village office as a courtesy to provide notification of an upcoming blast. Mr. Tucker stated that they take the Village's concerns very seriously and would like to do whatever they can to address the issues and create a solution.

Mr. Tucker will provide an update at the next meeting once they have had a chance to gather more information from the additional seismographs.

Mr. Tucker then stated that LaFarge will be making a donation to the Village toward the Fireworks in the amount of \$1,500 as well as to the Utica Little League and to Utica Township toward their road projects. Mayor Stewart thanked LaFarge for the donation and for working with the Village to address the resident's concerns.

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Village Attorney: Attorney Klein provided a brief summary of the Petition of Christy Donahue, and Willow Tree Lane, LLC, as Owner of property located at 229 S. Clark St., Utica, IL, 61373. The Petitioner is seeking a Special Use and requires a text amendment to the Village of North Utica Zoning Ordinance, to construct and operate an amusement operation, specifically a Sluice Box / Gem Cleaning Station, in connection with the Rock Shop located on the property. The property is located in the C-2 Zoning District.

Attorney Klein stated that the operation of an amusement operation, specifically a Sluice Box / Gem Cleaning Station would need to be added as a Special Use in the C-2 Zoning District. There was no one that spoke in opposition to the Petition at the Public Hearing and after their discussion, the Planning Commission recommended to approve the Petition to add the amusement as a Special Use in the C-2 District and to Grant the Special Use for the property.

Village Exhibit #1: Legal Notice of Public Hearing
Petitioner's Exhibit #1: Petition for Special Use and other related documentation

Ms. Donahue was sworn in to provide Testimony.

Ms. Donahue stated that she had traveled to many communities that have a small sluicing and gem cleaning operation. It is something that would fit in with the Rock Shop really well and it would give people another activity to do in the Village, especially children. Customers would purchase a small bag of dirt containing small rocks, gemstones and crystals. They would be able to go to the sluice box and sift the dirt to find their stones and then clean them. A small 'water tower' type unit would be constructed on the property as well as a sluice box. The water being used for the unit would be continually recirculated in the unit. The fence along the back of the property will be extended. Ms. Donahue also stated that she had already reached out to the owner of the former Willows Hotel to inquire about using the lot for parking overflow if needed and he was very open to sharing his parking at this time.

Trustee Krizel stated that she had spoken with Utica Fire Chief Brown about the parking along Johnson St. He had no objections to the addition of the amusement operation however, he did suggest that the Village consider striping some of the parking along the street to define the parking spaces better.

Mayor Stewart reminded the Board that other residential streets in the Village are not striped. Ms. Donahue's property is zoned commercial however, it is directly adjacent to a residential neighborhood.

Director Turczyn stated that there is a small portion of Church St. that is striped; in the commercial area that is also located adjacent to a residential neighborhood. Mayor Stewart stated that he will explore the Johnson St. area near Ms. Donahue's business with Zoning Enforcement Officer Spayer. The Maintenance Dept. will be working on re-striping several areas throughout the community soon so they will look at the area to determine whether some of the parking spots can be striped.

It was then motioned by Trustee Schweickert, seconded by Trustee Schrader to approve an Ordinance amending the Zoning Code of the Village of North Utica, Section 10-8B-3, to allow a Sluice Box / Gem Cleaning Station as a Special Use in the C-2 Zoning District. ORD 2022-12

6 Yes

Motion Carried

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It was then motioned by Trustee Schweickert, seconded by Trustee Mattioda to approve an Ordinance granting a Special Use under Section 10-8B-3 of the Village of North Utica Zoning Code to grant the operation of a Sluice Box / Gem Cleaning Station, in connection with the Rock Shop, on property located at 229 S. Clark St., Utica, IL, 61373; Property is zoned C-2. ORD 2022-13

6 Yes

Motion Carried

Village President:

Sign Ordinance Review - Mayor Stewart assigned the Zoning Review Committee (Trustees Krizel, Holland and Schrader) to work on the Sign Ordinance review along with the Planning Commission. Zoning Enforcement Officer Spayer provided a document outlining several items to review within the current Ordinance. These items include windsock flags, billboards, off-site signage and A-frame signs. Trustee Mattioda stated that painting the building C-1 Zoning District in order to add business signage is not currently allowed. She wanted to remove the overhanging sign and have her signage directly on the building but it wasn't allowed so that would be something that could be reviewed as well. Mayor Stewart agreed and then added that wall letter signage is also something that needs to be addressed. The next meeting to discuss the Sign Ordinance review will be held on April 28, 2022.

Moratorium on Lodging – The Village Board previously enacted a Moratorium on issuing licenses for Hotels, Motels, Bed & Breakfast establishments and Vacation Rentals until September 9, 2022. There is a lot of information to review due to the Ordinances being adopted at different times. Mayor Stewart has assigned the Village Board to work on the review.

Proclamation – It was motioned by Trustee Pawlak, seconded by Trustee Schrader to approve a Proclamation for Junior Achievement Day in the Village as April 7, 2022.

6 Yes

Motion Carried

Village Clerk: NONE

Director of Village Affairs:

ITRON – The Village's current water meter reading equipment is no longer being supported by ITRON. The cost to purchase new equipment and software will be approx. \$30,000 including training. It was motioned by Trustee Pawlak, seconded by Trustee Schweickert to approve a Contract between the Village of North Utica and ITRON for the purchase of new equipment and software for the reading of Village Water Meters, in an amount not to exceed \$30,000

6 Yes

Motion Carried

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Events being held in the Village – Upcoming Easter Egg Hunt at Carey Memorial Park will be held on April 17th; Antiquin’ Weekend will be held on April 23rd and 24th; and Sweet Stroll will be held on April 30th. Director Turczyn also reminded everyone that the Businesses will begin setting up for Outdoor Dining on April 25th.

Village Treasurer: NONE

Police Department – Lt. Jay Quinn reminded everyone about the Burning Ordinance in the Village; the first date that residents can burn is April 1, 2022.

He also stated that ATV’s do require a license in the Village. A Vehicle Sticker and orange safety triangle is required on the back and they are required to be registered annually. Kids are not permitted to drive ATV’s. Trustee Mattioda asked how many are currently registered in the Village. Lt. Quinn stated that because everyone is on a different annual schedule, he does not currently have a total.

Building / Zoning Enforcement Officer – Absent

Maintenance Department: Public Works Director Spayer was absent from the meeting however, Mayor Stewart provided an update. New garage doors are needed at the Maintenance Shop. The current doors are rusted and no longer operating correctly. The cost of the doors is \$10,500. This will be listed on the April Board Meeting Agenda for consideration.

Village Engineer: Village Engineer Heitz provided an update on the upcoming and ongoing projects in the Village.

2022 MFT Road Program – Streets are being reviewed again after the winter and a final assessment will be provided at the next meeting.

Parking at the Village Administrative Building – A plan for parking is needed for the new building. On meeting nights and during the basketball youth camp, there were a lot of vehicles so a plan for future parking is needed. Engineer Heitz is reviewing the street in front of the building to put a plan together to create additional parking.

Drainage Projects – Johnson St. Drainage: This will be a project that the Village will need to bid out. It will require a new paved ditch to address the drainage issues.

Doehrr Property Drainage: Engineer Heitz is reviewing this and has already met with the property owners to begin to address the drainage issues. This may be a project that the Maintenance Department can do. Inlets and storm sewer can be installed to help address the drainage.

Senica Manor Drainage: Public Works Director Spayer and Engineer Heitz will review the issues and create a plan that can address the drainage issues in that area.

East Canal St.: There has recently been a drainage issue in that area. They still have to review this project.

IDOT Rt. 6 & Rt. 178 Intersection Project – Recently a meeting was held with local emergency personnel. IDOT is planning to begin construction of the new roundabout on May 1, 2022; weather permitting.

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Committee / Trustee Reports:

Trustee Krizel asked about terms for the Members of the Planning Commission. According to the Village Ordinance, Members of the Planning Commission serve 2-year Terms. A new Member of the Planning Commission was added recently. Members of the current Planning Commission have served for several years and it has always been difficult to find residents that have the time available to serve. Attorney Klein stated that after each Mayoral election, the appointed Planning Commission seats have remained filled by Members unless they choose to resign. Currently the Village has a Planning Commission that consists of eight Members. Several of the Members have served since before the Tornado.

Trustee Krizel stated that her concern is that residents in the Village may not realize that that the Terms are limited to 2-years or that there may be an opportunity to serve on the Planning Commission.

The Board agreed and asked that Planning Commission Members be asked to be re-appointed to a 2-year Term if they are still interested in serving. Mayor Stewart stated that he would reach out to the Planning Commission to speak about re-appointing some of the Members to begin rotating 2-year Terms.

Executive Session: At 8:04 pm, it was motioned by Trustee Schrader, seconded by Trustee Pawlak to enter into Executive Session for the purpose of:

- 1.) The appointment, employment, compensation, discipline, performance or dismissal for specific employees
- 2.) Pending Litigation
- 3.) Purchase/Sale/Lease of Real Property

All in Favor
Motion Carried

At 8:18 pm, the meeting was reconvened. Motion made by Trustee Krizel, seconded by Trustee Pawlak.

All in Favor
Motion Carried

It was then motioned by Trustee Holland, seconded by Trustee Pawlak to approve the 2022 Payroll Schedule.

5 Yes
1 Abstain (Krizel)
Motion Carried

With no additional business, the meeting was adjourned at 8:20 pm. Motioned by Trustee Schrader, seconded by Trustee Schweickert.

All in Favor
Motion Carried

Respectfully submitted,

Laurie A. Gbur
Village Clerk